

China's IP
in foreign eyes

China State Construction Engineering Corporation (CSCEC) attaches equal importance to fostering a strong company culture and promoting the corporate brand. The company calls for hard work, fine craftsmanship, and the spirit of construction exemplified in its work to build the Huoshenshan and Leishenshan hospitals, in order to elevate employees' values and behavior standards and further develop the soft power of its brand culture matching the world's first-class enterprises. (CSCEC's brand value ranks first again in construction industry, PR Newswire)

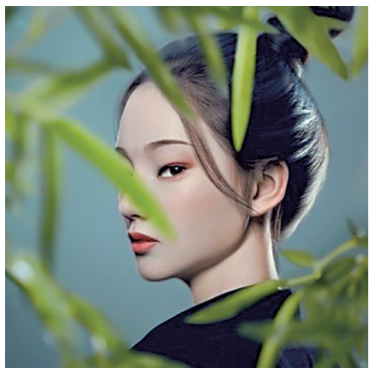
中国建筑集团有限公司(下称中建集团)同样重视培育深厚的企业文化和提升企业品牌。公司提倡刻苦钻研的工匠精神,以及建造武汉火神山医院、雷神山医院的建筑精神,以提升员工的价值观和行为标准,并进一步发展与世界一流企业相匹配的品牌文化和软实力。(中建集团的品牌价值再次在建筑行业排名第一,美通社)

Comment:

Chinese enterprises attach importance to R & D and innovation, firmly establish brand awareness, optimize brand strategy, and have the courage to participate in international market competition to build the brand power of Chinese manufacturing, which demonstrates the vitality of Chinese brands.

点评

中国企业注重研发创新,牢固树立品牌意识,优化品牌战略,并勇于参与国际市场竞争,打造中国品牌的品牌力量,彰显了中国品牌的生命力。



Chinese virtual key opinion leader (KOL) Ling made her world online debut Monday, leading the latest Chinese internet trend among positive influencers and cultural inheritors and showcasing China's soft power and culture. Bearing a close resemblance to humans, Ling was co-created by Chinese artificial intelligence (AI) start-up Shanghai Xmov Information Technology and Beijing Cishi Culture Media Company. (XMOV Unveils China's First AI Virtual Influencer, PR Newswire)

中国网络虚拟偶像 Ling 周一面向世界各地首次亮相,传承文化精髓,传播正能量,引领着中国最新的互联网趋势,并展示了中国的软实力和优秀传统文化。Ling 与真人有着非常相似的特性,是由中国人工智能初创企业 Xmov(上海)信息科技有限公司和北京次世文化传媒公司共同研发的。(XMOV 推出中国首个人工智能虚拟偶像,美通社)

Comment:

Backed by China's younger generation, the emerging virtual technology has been on the fast development track, which has attracted increasing investment in research and development and innovation from more internet firms.

点评

在中国年轻一代的支持下,新兴的虚拟现实技术得以快速发展和应用,并成功吸引越来越多的互联网公司投入研发和创新。

(李铎)

PM Li Keqiang stresses IP protection in government report at NPC

李克强在第十三届全国人民代表大会第三次会议所作政府工作报告中指出——

加强知识产权保护

On May 22, the 3rd Session of the 13th National People's Congress (NPC) opened at the Great Hall of the People. President Xi Jinping, who is also general secretary of the Communist Party of China's Central Committee and chairman of the Central Military Commission, and other leaders attended the meeting. On behalf of the State Council, Chinese Premier Li Keqiang delivered the Government Work Report at the annual meeting of China's top legislature.

With respect to IP work, Li Keqiang pointed out in the fourth part which is entitled "Energizing market entities through reform and strengthening new drivers of growth" of the report: provide stable support for basic research and application oriented basic research, and encourage enterprises to increase investment in R&D. Accelerate the development of national laboratories, restructure the system of key national laboratories, and develop private R&D institutions. Intensify international cooperation on science and technology. Strengthen IP protection. Introduce an open competition mechanism to select the best candidates to lead key research projects.

The report delivered by Premier Li consists eight parts: first, a review of China's work in 2019 and the first few



On May 22, the 3rd Session of 13th National People's Congress (NPC) opened at the Great Hall of the People in Beijing.

(Photo by Yao Dawei, Xin Hua)

新华社记者 姚大伟 摄

5月22日,第十三届全国人民代表大会第三次会议在北京人民大会堂开幕。

months of 2020; second, main targets for development and the overall plan for the next stage of work; third, forcefully implementing macro policies to keep businesses and employment sta-

ble; fourth, energizing market entities through reform and strengthening new drivers of growth; fifth, implementing the strategy of expanding domestic demand and promoting accelerated trans-

formation of the economic growth model; sixth, achieving poverty reduction goals and working for good harvests and growth in rural income; seventh, promoting higher standard open-

ing up and stabilizing the overall performance of foreign trade and foreign investment; eighth, advancing the reform and development of social programs to safeguard and improve living standards. (by Xin Hua)

本报综合新华社消息 5月22日,第十三届全国人大三次会议在北京人民大会堂开幕,习近平等党和国家领导人出席会议。中国国务院总理李克强代表国务院向大会作政府工作报告。

关于知识产权工作,李克强在报告第四部分“依靠改革激发市场主体活力,增强发展新动能”中指出:提高科技创新支撑能力。稳定支持基础研究和应用基础研究,引导企业增加研发投入。加快建设国家实验室,重组国家重点实验室体系,发展社会研发机构。深化国际科技合作。加强知识产权保护。实行重点项目攻关“揭榜挂帅”,谁能干就让谁干。

据悉,政府工作报告共分八部分:一、2019年和今年以来工作回顾;二、今年发展主要目标和下一阶段工作总体部署;三、加大宏观政策实施力度,着力稳企业保就业;四、依靠改革激发市场主体活力,增强发展新动能;五、实施扩大内需战略,推动经济发展方式加快转变;六、确保实现脱贫攻坚目标,促进农业丰收农民增收;七、推进更高水平对外开放,稳住外贸外资基本盘;八、围绕保障和改善民生,推动社会事业改革发展。



On May 24, political advisors met the press at the second Members' Corridor on the sidelines of the 3rd session of the 13th National Committee of the Chinese People's Political Consultative Conference (CPPCC) via video link at the Great Hall of the People in Beijing. (Courtesy of the Press Center of the 3rd session of the 13th CPPCC National Committee)

5月24日,全国政协十三届三次会议第二场“委员通道”在人民大会堂新闻发布厅举行。图为部分全国政协委员通过网络视频方式接受媒体采访

全国政协十三届三次会议新闻中心 供图

Bijia Fish Maw is produced in Shishou City, Hubei Province. The Yangtze River winds from west to East, reaching the Shishou river section of the Yangtze River. Shishou Bijia Mountain stands next to the river, blocking the flow of water to the East. The rapid return flow becomes a paradise for the longirostris.

Bijia Fish Maw is made from the swimming bladder of the longirostris in the Shishou river section of the Yangtze River Basin. After killing the fresh longirostris, take out the white, transparent, flexible and moderate swimming bladder, with the specification of no less than 100g. It is made by soaking, cleaning, low-temperature energy-saving cold air drying, vacuum expansion and other processes.

The shape of Bijia Fish Maw is like the penholder, with the characteristics

Bijia Fish Maw
笔架鱼肚

of big fat swimming bladder, thick glue layer, transparent and white jade like color, no blood silk residue and no scar nor injury. It has tender and fat texture and soft and sweet taste. The protein content is more than 60%.

(Courtesy of the IP Protection Department of CNIPA)

笔架鱼肚产于湖北省石首市,长江由西向东蜿蜒而过,九曲十八弯直抵长江石首江段。石首笔架山临江而立,阻击江水东流去,留下急旋回流在此处,成为长吻鮠捕食的天堂。

笔架鱼肚以长江流域石首江段长吻鮠的鱼鳔为原料,将鲜活长吻鮠

宰杀后,取出白色透明、柔韧适度的鱼鳔,规格不少于100克。经浸泡、清洗、低温节能冷风式干燥、真空膨化等工序制作而成。

笔架鱼肚形如笔架、鳔大而肥、胶质厚、色透明似白玉,无血丝残留、无疤无伤、质地细嫩如脂,口感松软香甜,蛋白质含量60%以上。

(中国国家知识产权局知识产权保护司供稿)



Beijing IP Court denies RIMOWA's infringement claims in suitcase decoration dispute

里莫瓦拉杆箱在华维权未果

Recently, Beijing IP Court made a final judgment on a suitcase decoration dispute between RIMOWA GmbH, a Germany-based company, and a person surnamed Duan, denying all of claims of RIMOWA.

Kofferfabrik Paul Morszeck, the predecessor company of RIMOWA specialized in manufacturing suitcases, was established in Cologne, Germany in 1898 and changed its name to RIMOWA in 1941, manufacturing suitcases designed with grooved stripes and a combination of five unique decoration design elements including cornerite, metal strip, rivet and locked groove.

In 2014, RIMOWA found that the suitcases sold by Duan, a person from China, copied its products in overall silver appearance and multiple design details. RIMOWA sued at Beijing Dongcheng District People's Court on the grounds that Duan infringed its unique decoration right and breached unfair competition rules, requesting the court to order Duan to stop selling the alleged infringing products, publish a statement and remove ill effects and in-

demnify 150,000 yuan in damages and 50,000 yuan in reasonable costs.

Duan argued that the suitcases manufactured by RIMOWA do not belong to well-known goods and its elevated-grooves design is not unique. The evidence RIMOWA provided cannot prove that its suitcases are famous in China and familiar to the relevant public. In addition, RIMOWA's suitcases cannot play a role in distinguishing the source of goods. Therefore, the suitcases sold by her cannot cause confusion among the relevant public.

Dongcheng Court held that the decoration of both RIMOWA's and Duan's suitcases are comprised of the five design elements of the elevated-grooves design and there are some similar features. In addition, RIMOWA's suitcases are well-known in China and familiar to the relevant public, belonging to the famous goods provided in the Chinese Anti-Unfair Competition Law. There exists competition between RIMOWA and Duan. Accordingly, Dongcheng Court made a first-instance judgment, ordering an injunc-

tion, 70,000 yuan in damages and reasonable costs.

Duan then brought the case to Beijing IP Court.

After hearing, Beijing IP Court held that the relevant public will not relate the decoration of suitcases with certain product providers. On top of that, it cannot be determined that Duan sold the alleged suitcases in bad faith nor be proved that the act of Duan constituted unfair competition. Besides, the evidence cannot prove the suitcases manufactured by RIMOWA are well-known among the relevant public. In the connection, Beijing IP Court revoked the first-instance judgement and denied all of claims of RIMOWA. (by Zhong Siliang)

德国里莫瓦有限公司(下称里莫瓦公司)与段某琴因旅行箱特有包装装潢发生诉讼,北京知识产权法院近日就该案作出终审判决,驳回里莫瓦公司的全部诉讼请求。

里莫瓦公司前身 Kofferfabrik Paul Morszeck 行李箱制造公司于 1898 年在德国科隆建立,1941 年公司名称改为 RIMOWA 行李箱公司,旗下的里莫瓦旅行箱以沟槽条纹为主,

并具有独特造型的包角、金属条、铆钉、锁槽等五个装潢设计要素的组合(下称凸出条纹设计组合)。

2014年,里莫瓦公司发现中国公民段某琴销售的旅行箱产品在银色整体外观及多个设计细节上,均构成对其箱包的仿冒,随后以段某琴侵犯其特有包装装潢权及不正当竞争为由,诉至北京市东城区人民法院(下称东城法院),请求法院判令段某琴立即停止销售涉案产品,刊登声明消除影响,并赔偿其经济损失15万元及合理支出5万元。

庭审中,段某琴表示,里莫瓦旅行箱不属于知名商品,且凸出条纹设计不属于特有装潢。里莫瓦公司提供的证据不能证明里莫瓦旅行箱在中国境内的市场知名度和公众熟悉度。此外,里莫瓦旅行箱的设计装潢不能起到区别商品来源的作用,且其销售的旅行箱不会造成相关公众的混淆。

东城法院认为,两者的包装装潢均包含凸出条纹设计组合的五个元素,且两者存在相似特征。另外,里莫瓦旅行箱在中国境内具有一定的市场知名度,并为相关公众所知悉,根据反不正当竞争法规定,属于知名商品范畴,且二者之间存在竞争关系。据此,东城法院判决,段某琴立即停止侵权

行为,并赔偿原告经济损失及合理支出7万元。

段某琴不服一审判决,上诉至北京知识产权法院。

北京知识产权法院经审理认为,对于相关公众而言,并不会通过该设计装潢而产生特定旅行箱提供者的认知。另外,在该案中无法认定段某琴具有主观恶意,无法证明被诉行为构成不正当竞争行为。此外,里莫瓦公司提供的证据不足以证明其在箱包的普通消费者中具有较高知名度。据此,北京知识产权法院判决撤销一审判决,驳回里莫瓦公司的全部诉讼请求。(郑斯亮)



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